

May 28, 2025

**VIA ECF**

Honorable Judge Arun Subramanian, U.S.D.J.

Daniel Patrick Moynihan

United States Courthouse

500 Pearl Street

New York, NY 10007-1312

**Re: Metro Light & Power LLC v. Furnlite Inc. et al,**  
**Case No. 1:24-cv-03713-AS**  
**Joint Letter Motion Requesting Deadline Extension**

Dear Judge Subramanian:

This firm represents Plaintiff Metro Light & Power in the above action. The firm representing Defendants Group Dekko, Inc. and Furnlite, Inc. also joins this letter. We submit this letter motion requesting an extension of time to adjust deadlines related to expert disclosures, including (1) expert disclosures proponent of claim, (2) expert disclosures for opponent of claim, (3) all depositions completed by, and (4) all discovery completed by.

In conformance with Your Honor's Civil Case Practice Rules, we provide the following:

1. The "Original Dates" for the deadlines in this action from the Scheduling Order entered on February 13, 2025 [ECF No. 47] are as follows:
  - a. Expert Disclosures Proponent of Claim: 4/25/2025
  - b. RFAs served by: 5/2/2025
  - c. Expert disclosures for Opponent of Claim: 5/15/2025
  - d. All depositions completed by: 6/15/2025
  - e. All discovery completed by: 6/15/2025
  - f. Post discovery MSJ by: 7/18/2025
  - g. Answer MSJ papers by: 8/15/2025
  - h. Reply MSJ papers by: 8/29/2025
2. There has been one previous request for an extension of these or any dates in the Scheduling Order, Defendants' request for extension with consent. [ECF No. 56].
3. The previous request for an extension was granted. [ECF No. 58].
4. **Reason for the requested extension:** Two of Defendants' 30(b)(6) corporate witnesses, Rusty Helms and Char Reynolds, are unavailable for deposition until June 12, 2025. These witnesses

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are also being deposed in their personal capacities. Plaintiff believes both individuals to be key witnesses, and Defendants agree that at least one is a key deposition (Rusty Helms) for this case.

Plaintiff served its 30(b)(6) notice on April 7, 2025 and diligently followed up to schedule the depositions within the current timeframe. Char Reynolds was initially scheduled for deposition on May 16, 2025. The afternoon before her scheduled deposition, she requested to cancel and is not available until June 12, 2025. Rusty Helms is traveling abroad and is unable to be deposed until June 12, 2025.

Under the current schedule, Plaintiff's expert reports are due June 5, 2025. Without Mr. Helms' and Ms. Reynolds' testimony, Plaintiff will not be able to complete these reports. Plaintiff attempted to schedule depositions for these critical witnesses early, but they are not available before June 12.

Accordingly, the parties request this extension to allow for the depositions of Ms. Reynolds and Mr. Helms to take place prior to Plaintiffs' expert report deadline. The parties provide a similar extension to Defendants' rebuttal reports and the deadlines to finalize depositions and discovery to accommodate the same and in fairness.

The parties recognize that the Court previously ordered that there would be no further extensions. [ECF No. 58]. However, the unforeseen circumstances of Ms. Reynolds's sudden, last-minute unavailability, and Mr. Helms's absence from the country until June 12 make this request necessary. The parties have endeavored to move the schedule as minimally as possible and only propose amending the specific affected deadlines to allow Plaintiff to obtain the deposition testimony needed to prepare its expert report. The parties' request does not affect any deadlines after the close of discovery and the deposition window.

5. This is a joint letter motion with all parties in agreement.
6. No date has been set for the parties' next scheduled appearance before the Court and all other deadlines are set forth in the chart below.

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The following chart provides the Current Deadlines in the amended scheduling order [ECF No. 58] with the corresponding proposed dates as extended by this request:

Item	Current Date	Extended Date
Expert Disclosures Proponent of Claim	6/5/2025	6/19/2025
RFAs served by	6/13/2025	No Change
Expert disclosures for opponent of claim	7/5/2025	7/15/2025
All depositions completed by	7/25/2025	8/1/2025
All discovery completed by	7/25/2025	8/1/2025
Post discovery MSJ by	8/29/2025	No Change
Answering MSJ papers by	9/26/2025	No Change
Reply MSJ papers by	10/10/2025	No Change

We thank the Court in advance for its attention to this letter motion and request.

Respectfully submitted,

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